

REMARKS/ARGUMENTS

Claims 1-18 are active in the case.

The Examiner states that the inventions of Groups I-VII do not relate to a single general inventive concept under PCT Rule 13.1, because, under PCT Rule 13.2, they lack the same or corresponding special technical feature, because the special technical feature common to the claims the heat-sealing film of Claim 1 is obvious in view of the Abstract of JP 54-120646.

However, it can be seen that Claim 1 may also include an impact-resistant polystyrene, which is not taught or suggested in the Abstract of JP 54-120646.

Further, the special technical feature of the film of Claim 1 is included in a multi-layer film of Group II, which multi-layer film is not taught or suggested in the Abstract of JP 54-120646. Therefore, the special technical features of the multi-layer film of Group II are proper for examination in this case, along with the claims of Groups V, VI and VII, which are drawn to claims to a process specially adapted for the manufacture of the product of Group II and under PCT Rule 13 allowed for inclusion in combinations of claims of different categories that are to be examined in the same application. There is no viable distinction between the claims of Groups V, VI and VII, since they are all drawn to the process of making the multi-layer film of Group II.

Therefore, for the reasons set forth above it is submitted that the Examiner has failed to meet the requirements for restriction under PCT Rules 13.1 and 13.2 and it is requested that all claims be examined in this application or, if the Examiner persists in the restriction requirement, that at least the claims of Groups II, V, VI and VII be examined in this application, as drawn to claims having the same special technical features and related by product and method of making the product.

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Reply to Restriction Requirement dated April 9, 2004

Accordingly, for the reasons presented above, Applicants submit that the Patent and Trademark Office has failed to meet the burden necessary to sustain the restriction requirement and withdrawal of the restriction requirement is respectfully requested.


Respectfully submitted,

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